## REMARKS

Claims 1, 2, 4-8 and 10 are currently pending in the application; with claims 1 and 7 being independent. Claims 1-10 were pending prior to the Office Action. In the current amendment, claims 3 and 9 have been cancelled. Claims 1, 7 and 10 have been amended. The amendments to claim 10 were not made to overcome any statutory rejection.

The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein. Applicant respectfully requests favorable consideration thereof in light of the amendments and comments contained herein, and earnestly seeks timely allowance of the pending claims.

### *Claim Rejections - 35 USC §103*

The Examiner rejected claims 1, 2, 6, 7 and 8 under 35 U.S.C. 103(a) as being unpatentable over US 6,067,571 ("Igarashi et al.") in view of US 7,114,174 ("Brooks et al."). The Examiner rejected claims 3 and 9 under 35 U.S.C. 103(a) as being unpatentable over Igarashi et al. in view of Brooks et al. and further in view of US 6335760 ("Sato"). The Examiner rejected claims 4 and 10 under 35 U.S.C. 103(a) as being unpatentable over Igarashi et al. in view of Brooks et al. and further in view of Sato and US 20020126135 A1 ("Ball et al."). The Examiner rejected claim 5 under 35 U.S.C. 103(a) as being unpatentable over Igarashi et al. in view of Brooks et al. and further in view of Ball et al.

The Applicant respectfully traverses this rejection. Applicant has amended independent claims 1 and 7.

Applicant has amended claim 1 to recite a terminal distinction circuit for distinguishing a terminal type between a type that can reproduce said moving image data and a type that cannot reproduce said moving image data; [...] wherein said terminal distinction circuit detects a resolution of a monitor of said terminal, and said animation generating circuit scales down a size of each picture frame contained in said moving image data, to a size smaller than said resolution of said monitor.

Applicant has amended claim 7 to recite distinguishing, by a terminal distinction circuit, a terminal type between a type that can reproduce said moving image data and a type that cannot

reproduce said moving image data; [...] detecting a resolution of a monitor of said terminal, scaling down a size of each picture frame contained in said moving image data, to a size smaller than said resolution of said monitor, processing said moving image data to generate an animation file and sending said animation file to said terminal when said terminal is a type that cannot reproduce said moving image data.

To establish a *prima facie* case of obviousness, the Examiner has the burden of meeting the basic criterion that the prior art must teach or suggest all of the claim limitations.

Regarding this basic criterion, Igarashi et al., Brooks et al., Sato and Ball et al. do not disclose or suggest a terminal distinction circuit for distinguishing a terminal type between a type that can reproduce moving image data and a type that cannot reproduce moving image data; [...] wherein the terminal distinction circuit detects a resolution of a monitor of the terminal, and an animation generating circuit scales down a size of each picture frame contained in moving image data, to a size smaller than the resolution of the monitor. Igarashi et al., Brooks et al., Sato and Ball et al. also do not disclose or suggest distinguishing, by a terminal distinction circuit, a terminal type between a type that can reproduce said moving image data and a type that cannot reproduce said moving image data; [...] detecting a resolution of a monitor of said terminal, scaling down a size of each picture frame contained in said moving image data, to a size smaller than said resolution of said monitor, processing said moving image data to generate an animation file and sending said animation file to said terminal when said terminal is a type that cannot reproduce said moving image data.

Igarashi et al. merely discloses a server which transmits/receives a moving image from an image sensing device via the Internet. The server comprises a camera (1003) which converts an object image into an image signal, a camera controller (1017) which controls the camera, and a camera driver. When the image signal converted by the camera is transferred as still-image data on the Internet, the data is transferred by the HTML or HTTP protocol, on the other hand, when the image signal is transferred as moving-image data, the data is transferred by another protocol (Abstract).

In Fig. 15 of Igarashi et al., numeral 1011 denotes a communication interface unit of the camera control apparatus (camera server) as a WWW interface. Numeral 8001 denotes a system

controller which controls the overall camera control apparatus. The system controller 8001 mainly controls a still-image controller 8002, a moving-image controller 8003 and the camera controller 1017 (col. 16 lines 50-61). A request for images is received by the communication interface unit 1011 (Fig. 15). At step S1107 in Fig. 11, system controller 8001 determines whether the request is a still-image transfer request or a moving image transfer request (col. 17 lines 49-50). If the request is not a still-image transfer request, the process proceeds to step S1108, at which corresponding processing is performed. For example, if it is determined that the request is a moving-image transfer request, video image data the same as the video image data transferred to the external device 8050 is transferred to the external device 8040 (col. 17 lines 50-56). If it is determined that the request is a still-image transfer request, the process proceeds to step S1109, at which the still-image controller 8002 is driven, and at step S1110, the obtained video image is transferred as a still image via the communication interface unit 1011 to the external 8040 (col. 17 lines 57-61).

Igarashi et al. determines whether the image request from external devices 8040 or 8050 is a still-image transfer request or not. Determining whether the image request from external devices 8040 or 8050 is a still-image transfer request or not, is not a sufficient condition for distinguishing a terminal type between a type that can reproduce moving image data and a type that cannot reproduce moving image data.

In other words, Igarashi et al. determines whether the image request from external devices 8040 or 8050 is a still-image transfer request, but still does not distinguish a terminal type. For example, at col. 17 lines 52-56 in Igarashi et al., it is mentioned that, if it is determined that the request is a moving-image transfer request, video image data the same as the video image data transferred to the external device 8050 is transferred to the external device 8040. Hence, in this case, external device 8040 receives moving image data (image data of the same kind as that received by external device 8050). Therefore, the external device 8040 may request still image data, but is not limited to receiving only still image data. The external device 8040 may be sent both moving image data and still image data.

Hence, Igarashi et al. does not distinguish a terminal type.

Igarashi et al. does not discuss resolution of a monitor of any terminal. Igarashi et al. does

not disclose or suggest detecting a resolution of a monitor of a terminal, and scaling down a size of each picture frame contained in moving image data, to a size smaller than the resolution of the monitor.

Hence, Igarashi et al. fails to teach or suggest all of the elements for claim 1 and for claim 7.

Brooks et al. merely discloses a computer program product for a system including a processor. The computer program includes a tangible memory including codes that direct the processor to determine an output resolution, an output frame rate, an output color depth for the output stream of data, to retrieve a first frame of data, a second frame of data, and a third frame of data from an input stream of data, the input stream of data having an input resolution, an input frame rate, and an input color depth, to subsample the first frame of data, the second frame of data, and the third frame of data, to modify frame of data, to reduce color depth, and to convert the first reduced frame of data and the second reduced frame of data into the output stream of data (Abstract).

Brooks et al. does not disclose or suggest detecting a resolution of a monitor of a terminal, and scaling down a size of each picture frame contained in moving image data, to a size smaller than the resolution of the monitor.

In Brooks et al., a sampler block 520 may receive a desired output spatial resolution from control block 450. The output spatial resolution is a screen resolution of a requesting device (col. 10 lines 7-10). The sampler block 520 subsamples the image received from cropper block 510, to obtain the desired output resolution. As an example, an incoming frame may have 640 horizontal pixels $\times$ 480 vertical pixel resolution, however the desired output video image is 80 pixels $\times$ 60 pixels. In such an example, cropper block 510 takes every eighth pixel of the incoming frame for the output frame. In this case, the resolution of incoming frame of $640 \times 480$ pixels becomes $(640/8) \times (480/8) = 80 \times 60$ pixels, which is equal to the resolution of the requesting output device (col. 12 lines 24-31). The resolution of the incoming frame is <u>not changed to a value smaller than the resolution of the requesting output device</u>.

Hence, Brooks et al. fails to teach or suggest all of the elements for claim 1 and for claim 7.

Sato merely discloses an image signal reproduction device, provided in an electronic still camera, which comprises a CPU, an image signal processing circuit, a memory card, in which a compressed image signal is recorded, a display device having a liquid crystal display (LCD), and a resolution recognition unit. A clock pulse, outputted from the CPU, is received by the resolution recognition unit, so that a recognition pulse, corresponding to the inherent resolution of the LCD, is outputted from the resolution recognition unit to the image signal processing circuit. The compressed image signal is read from the memory card, and reproduced to some extent corresponding to the resolution of the LCD (Abstract).

Sato does not disclose or suggest detecting a resolution of a monitor of a terminal, and scaling down a size of each picture frame contained in moving image data, to a size smaller than the resolution of the monitor.

In Sato, an LCD 24 of type A has a resolution of $1280 \times 960$ pixels, an LCD of type B has a resolution of $640 \times 480$ pixels, an LCD of type C has a resolution of $320 \times 240$ pixels, and an LCD of type D has a resolution of $160 \times 120$ pixels (col. 6 lines 39-50). When an image signal, stored in the frame memory 14, is read therefrom and then stored in the video memory 18, some pixel signals are thinned or disregarded from the image signal, in accordance with the inherent resolution of the LCD 24, except when the inherent resolution has a value greater than a predetermined value. "Thinning" is a process of reading only every [thinning number +1]th pixel, i.e., the thinning number is the number of skipped or disregarded pixels (per pixel read). In the case of the LCD 24 being of type D ($160 \times 120$ pixels), pixel signals are only stored in the video memory 18 on every eighth pixel (i.e. an eight pixel separation in both the horizontal and vertical directions of the image), so that an image having a satisfactory number of pixels, which conforms to the inherent resolution of the LCD 24, is generated (col. 7 lines 8-32). Since the inherent resolution of the LCD 24 of type D is $160 \times 120$ pixels, only 1/8 of the pixels in both the horizontal direction and the vertical direction of the original $1280 \times 960$ pixel image (FIG. 2, F1) can be indicated by the LCD 24.

Hence, as also illustrated in FIG. 14A of Sato, when the LCVD is of type A ($1280 \times 960$ pixels), the original $1280 \times 960$ pixel image is thinned with a thinning number of 0 (step S108), to obtain a $1280 \times 960$ pixel image of the <u>same resolution</u> as the LCD of type A; when the LCVD

is of type B ($640 \times 480$ pixels), the original $1280 \times 960$ pixel image is thinned with a thinning number of 1 (step S114), to obtain a $[1280/(1+1)] \times [960/(1+1)] = 640 \times 480$ pixel image of the same resolution as the LCD of type B; when the LCVD is of type C ($320 \times 240$ pixels), the original $1280 \times 960$ pixel image is thinned with a thinning number of 3 (step S120), to obtain a $[1280/(1+3)] \times [960/(1+3)] = 320 \times 240$ pixel image of the same resolution as the LCD of type C; and when the LCVD is of type D ($160 \times 120$ pixels), the original $1280 \times 960$ pixel image is thinned with a thinning number of 7 (step S124), to obtain a $[1280/(1+7)] \times [960/(1+7)] = 160 \times 120$ pixel image of the same resolution as the LCD of type D. Therefore, Sato never scales down a size of an image to a size smaller than a resolution of the LCD screen.

Hence, Sato fails to teach or suggest all of the elements for claim 1 and for claim 7.

Ball et al. merely discloses a method of communication in which a file is received for transmission to a remote recipient. The file is replaced with a representation of the file that includes controls for manipulating the file, control of the file is retained, and the communication is transmitted to the recipient. Alternatively, a communication is created, a file is selected, a representation of the file is inserted in the communication wherein the representation includes controls for manipulating the file, and the communication is transmitted to a recipient (Abstract).

Ball et al. does not disclose or suggest detecting a resolution of a monitor of a terminal, and scaling down a size of each picture frame contained in moving image data, to a size smaller than the resolution of the monitor. Hence, Ball et al. fails to teach or suggest all of the elements for claim 1 and for claim 7.

For all of the above reasons, taken alone or in combination, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. 103(a) rejection of claims 1 and 7. Claims 2 and 4-6 depend from claim 1 and are allowable at least by virtue of their dependency. Claims 8 and 10 depend from claim 7 and are allowable at least by virtue of their dependency.

## Conclusion

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Corina E. Tanasa, Limited Recognition No. L0292 under 37 CFR §11.9(b), at telephone number (703) 208-4003, located in the Washington, DC area, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: July 11, 2007

Respectfully submitted,

By___________

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